

1 UNITED STATES OF AMERICA

2 SOUTHERN DISTRICT OF CALIFORNIA

3 UNITED STATES OF AMERICA,

4) Magistrate Case No.: '08 MJ 8543

5 Plaintiff,

6) COMPLAINT FOR VIOLATION OF:

7 v.

8 Juan Cruz CASILLAS-Valdez

9) Title 8, U.S.C., Sec., 1326
Defendant.) Attempted Entry After Deportation10)
11)
12)
13)
14)
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)

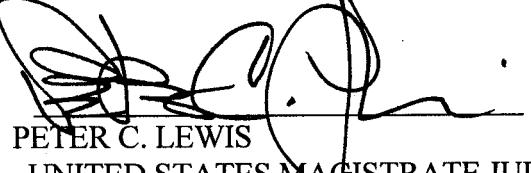
The undersigned complainant, being duly sworn, states:

On June 16, 2008, within the Southern District of California, the defendant Juan Cruz CASILLAS-Valdez, an alien, who previously had been excluded, deported and removed from the United States to Mexico, attempted to enter the United States with the purpose, i.e., conscious desire, to enter the United States at the Calexico Port of Entry without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts which is incorporated herein by reference.


JOSE L. BOLANOS
CBP ENFORCEMENT OFFICER

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 17TH DAY OF JUNE, 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

UNITED STATES OF AMERICA

v.

Juan Cruz CASILLAS-Valdez

STATEMENT OF FACTS

The complainant, states that this complaint is based upon the arrest reports of the apprehending officers and the investigation report submitted by Customs and Border Protection Officer Enforcement (CBPOE) Jose L. Bolanos.

On June 16, 2008, at approximately 7:19 A.M., a male individual, later identified as Juan Cruz CASILLAS-Valdez (Defendant), attempted to enter the United States from Mexico at the Calexico West Port of Entry, via pedestrian primary. Defendant presented a State of California identification card bearing his name and photograph as his entry document to Customs and Border Protection (CBP) Officer M. Roberts. CBP Officer Roberts escorted the Defendant to secondary office of further inspection.

During secondary inspection, Defendant stated to CBPOE Bolanos he was a United States citizen by virtue of birth in San Diego, CA and stated he was traveling back home to National City, CA. Record checks revealed the defendant was ordered removed by an Immigration Judge on June 11, 1996 and on February 17, 1998. Defendant admitted to CBPOE Bolanos he is a citizen and native of Mexico by virtue of birth in Aguascalientes, Mexico, and was going to National City, CA to be reunited with his family. Defendant further admitted he was previously deported from the United States by an Immigration Judge. Defendant attempted to enter the United States from Mexico by false claiming to be a U. S. citizen born in San Diego, CA, and he has not applied for, nor received, permission to legally re-enter the United States.

Immigration service records indicate no evidence that defendant has applied for, nor received permission from the Attorney General of the United States, or his designated successor, the Secretary of the Department of Homeland Security to legally re-enter the United States.